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March 3, 1993

RQ-503

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Opinion Committee

The Honorable Dan Morales  
Attorney General of Texas  
Supreme Court Building  
P. O. Box 12548  
Austin, Texas 78711-2548

HAND DELIVER

MBJ  
~~FILE # MC 19228-93~~  
I.D.# 19228

RE: Request for Attorney General's Opinion

Dear General Morales,

I would like to request an Attorney General's Opinion regarding the following two questions:

1) Is it a violation of Chapter 3 of the Texas Credit Code for an authorized lender to require the delivery to it by the borrower of a check to be held for deposit until the payment is due?

2) If it is not a violation to do so, does the Consumer Credit Commissioner have the power and authority to deny licenses to applicants under Chapter 3 who intend to engage in such practice?

I would appreciate your response to the questions, If you need any further information, please do not hesitate to contact me.

Sincerely,

Mark W. Stiles  
Chairman  
House Committee on Calendars

FILED SEP 11 1993  
CLERK OF THE HOUSE